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HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE SHRI H.L. DATTU, CJ.

W. P. No. 78 of 2001

PETITIONER

Ram Kunwar W/o Trilochan
By caste Gond Tribal
R/o Anjoripali, Tah. Kharsiya,
Dist. Raigarh (Chhattisgarh)

VERSUS

RESPONDENTS

1. Addl. Commissioner,
Bilaspur -Dn.
Bilaspur (Chhattisgarh)
2. The Collector,
Raigarh (Chhattisgarh)
3. The Sub-Divisional Officer,
(Revenue), Kharsiya,
Dist. Raigarh (Chhattisgarh)
4. Sukhmet W/o Sukharu
By caste Khariya, Tribal
Village : Raighata, Tah. Kharasiya,
Dist. Raigarh (Chhattisgarh)
5. Omprakash Gupta,
S/o Kundanlal Gupta, R/o Kharsiya
Tah. Kharsiya, Dist. Raigarh
Chhattisgarh.

Writ petition under Articles 226/227 of the Constitution of India.

Present: Shri V.R. Tiwari, counsel for the petitioner.
Shri N.K. Agrawal, Dy. A.G. for respondents 1 to 3.

ORAL ORDER

(Passed on 17th April, 2007)

The petitioner in this petition filed under Articles 226/227 of the Constitution of India is calling in question the order dated 30.05.2000 passed by the Additional Commissioner, Bilaspur Division, in Case No. 54/A-23/1999-2000 (Annexure-P/1).

(2) In my opinion, if for any reason, the petitioner is aggrieved by the aforesaid order, she has to necessarily question the same by

(3)

filing a revision petition before the Board of Revenue as provided under Section 50 of the Chhattisgarh Land Revenue Code, 1959. The remedy provided under Section 50 is not only an alternative but effective and efficacious remedy and without exhausting the same, the petitioner could not have approached this Court.

(3) In view of the above, without going into the merits and demerits of the case, the petition is disposed of, reserving liberty to the petitioner to file the revision petition if she so desires against the impugned order passed by the Additional Commissioner within a period of one month, before the Board of Revenue. If such revision petition is filed, the Board of Revenue would consider the same in accordance with law without reference to the period of limitation. All the contentions of the parties are left open. Ordered accordingly.

Sd/-
Chief Justice